

among other allegations. Plaintiff has also alleges supplemental state law claims. Plaintiff seeks actual, consequential and punitive damages. *See*, Complaint, a copy of which is attached hereto as Exhibit A.

2. This action presents claims and issues of federal law. As stated above, the Plaintiff has specifically alleged that the Defendants violated his Fourth and Fourteenth Amendment rights.

3. Upon information and belief, service of process upon the all parties was accepted on or about September 21, 2010 and the Plaintiff's Complaint was filed in the Richland County Court of Common Pleas on this same date.

4. This Notice is filed within thirty days of the filing of the Plaintiff's Complaint and within thirty days of the receipt of the Summons and Complaint by all parties. Therefore, the filling of this Notice of Removal is timely.

5. This Court has original jurisdiction of this action pursuant to 28 U.S.C. § 1331. As discussed above, the Plaintiff's Complaint raises issues of federal constitutional law. Consequently, this action may be removed pursuant to 28 U.S.C. § 1441.

6. The undersigned attorney of record for these Defendants has spoken with the attorney of record for each Co-Defendant in this action and none of the parties object to removal. *See*, Signed consent documents attached hereto as Exhibit B.

7. The Defendants submit this Notice of Removal without waiving any defenses to the claim asserted by the Plaintiff, including jurisdictional and service defenses, and without conceding that the Plaintiff has plead claims upon which may be granted.

8. The undersigned attorney of record for these Defendants signs this Notice of Removal pursuant to Rule 11 of the Federal Rules of Civil Procedure.

WHEREFORE, the Defendants, Richland County Coroner's Office and Richland County, pray that this Court accept this Notice of Removal which is being filed and that this Court take jurisdiction of the above-captioned action and all further proceedings in said action in the Court of Common Pleas for Richland County, State of South Carolina, bearing Civil Action Number 10-CP-40-3778 be stayed.

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Columbia, South Carolina

October 20, 2010